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NOTE

There is one Extraordinary issue to the Official Gazette, Series I No. 46 dated 10-2-2011 namely, Extraordinary dated 11-2-2011 from pages 1795 to 1802 regarding Amendment to the Notification of Goa Excise Duty Act, 1964–Not.- 1/1/2008–Fin (R&C) Part-I(A) and (B) from Department of Finance (Revenue & Control Division) and Draft Amendment Rules to the Corporation of the City of Panaji (Election) Rules, 2004– Not. 1/04/DMA/Admn/3849 from Department of Urban Development (Directorate of Municipal Administration).

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GOVERNMENT OF GOA

Department of Education, Art & Culture

Directorate of Technical Education

Order

DTE/CAD/SLFSC/2010-11/389

Government of Goa has constituted State Level Fee Structure Committee under the Chairmanship of Retd. Justice Dr. Eurico Santan da Silva, vide Order No. DTE/CAD/SLFSC/2007-08/30 dated 03-04-2008.

The Committee has submitted its report to the Government of Goa and after consideration of the said report, Government is pleased to accept the same and approve the recommendations as given in Annexure for implementation.

By order and in the name of the Governor of Goa.

A. K. Acharya, Secretary (Technical Education).

Porvorim, 7th February, 2011.

ANNEXURE

STATE LEVEL FEE STRUCTURE COMMITTEE

RECOMMENDATIONS

For the purpose of laying down an appropriate scheme of Fee Structure, following parameters were recommended and adhered to:

1. As actual date of implementation of revised pay scales is not yet known, it is difficult to estimate the effect of the same on the economics of the operations of the college and as such instead of finalizing Fee Structure for the batches to be admitted in next 3 years, only the Fee Structure of batch to be admitted in the year 2010-11 is considered. The Fee Structure in respect of batches for 2010-11 & 2012-13 is to be decided later.

2. However, in case of Shri Kamaxidevi Homoeopathic Medical College, Shiroda, which is not covered by A.I.C.T.E. recommended pay scales, the Fee Structure is specified for next three years, as requested by the institution.

3. Fees would not be uniform throughout the course duration, but there would be gradual, annual increase.

4. Fees Structure even incase of like institutions (Engineering Colleges) could vary depending on services/facilities provided to students and the related financial implications and hence need not be uniform.

5. Institutions shall strive to develop appropriate infrastructure in order to provide quality Technical Education to the students and recruit staff as per A.I.C.T.E. norms and pay A.I.C.T.E. recommended pay scales.

The Committee recommends that fees for various private institutions in the State of Goa, in respect of batch of students to be admitted in the year 2010-11, shall be as specified in Annexure 'A'.

ANNEXURE – A

A. PRIVATE UN-AIDED ENGINEERING COLLEGES

1. **Padre Conceicao College of Engineering, Verna***Tuition & Development Fees (2010-11)*

Fees	First Year	Second Year	Third Year	Fourth Year
Tuition Fees (per semester)	Rs. 31,000	Rs. 35,000	Rs. 39,000	Rs. 43,000
Development Fees (per semester)	Rs. 5,000	Rs. 5,000	Rs. 5,000	Rs. 5,000
Institutional Fees	Rs. 1,050	Rs. 1,050	Rs. 1,050	Rs. 1,050

Details of Institutional Fees (in Rupees)

Item of Fees	Amount
1. Gymkhana Fees (per term)	Rs. 100
2. Annual Social Gathering (yearly)	Rs. 100
3. Student Aid Fund (yearly)	Rs. 50
4. Magazine Fee (yearly)	Rs. 100
5. Identity Card (one time)	Rs. 50
6. Library Deposit (refundable)	Rs. 250
7. Caution Money (refundable)	Rs. 400
Total Institution Fees	Rs. 1,050

Fees for NRI Candidates

Item of Fees	Amount
Other Fees (Tuition+Institutional+Development)	US\$3,000 per year

2. Shree Rayeshwar Institute of Engineering and Information Technology, Shiroda-Goa*Tuition & Development Fees (2010-11)*

Fees	First Year	Second Year	Third Year	Fourth Year
Tuition Fees (per semester)	Rs. 26,000	Rs. 29,000	Rs. 32,000	Rs. 35,000
Development Fees (per semester)	Rs. 5,000	Rs. 5,000	Rs. 5,000	Rs. 5,000
Institutional Fees	Rs. 1,450	Rs. 1,450	Rs. 1,450	Rs. 1,450

Details of Institution Fees (in Rupees)

Item of Fees	Amount
1. Gymkhana Fees (per term)	Rs. 200
2. Annual Social Gathering (yearly)	Rs. 200
3. Student Aid Fund (yearly)	Rs. 100
4. Magazine Fee (yearly)	Rs. 100
5. Identity Card (one time)	Rs. 50
6. Library Deposit (refundable)	Rs. 300
7. Caution Money (refundable)	Rs. 500
Total Institution Fees	Rs. 1,450

Fees for NRI Candidates

Item of Fees	Amount
Other fees (Tuition+Institutional+Development)	US\$3,000 per year

B. PRIVATE UN-AIDED PHARMACY COLLEGES**1. Ponda Education Society's College of Pharmacy Education & Research, Ponda-Goa***Tuition & Development Fees (2010-11)*

Fees	First Year	Second Year	Third Year	Fourth Year
Tuition Fees (per semester)	Rs. 22,500	Rs. 25,000	Rs. 27,500	Rs. 30,000
Development Fees (per semester)	Rs. 5,000	Rs. 5,000	Rs. 5,000	Rs. 5,000
Institutional Fees	Rs. 1,250	Rs. 1,250	Rs. 1,250	Rs. 1,250

Details of Institution Fees (in Rupees)

Item of Fees	Amount
1	2
1. Gymkhana Fees (per term)	Rs. 100
2. Annual Social Gathering (yearly)	Rs. 200
3. Student Aid Fund (yearly)	Rs. 50

1	2
4. Magazine Fee (yearly)	Rs. 100
5. Identity Card (one time)	Rs. 50
6. Microscope charge (one time)	Rs. 100
7. Library Deposit (refundable)	Rs. 250
8. Caution Money (refundable)	Rs. 400
Total Institution Fees	Rs. 1,250

Fees for NRI Candidates

Item of Fees	Amount
Other fees (Tuition+Institutional+Development)	US\$3,000 per year

C. PRIVATE UN-AIDED HOMOEOPATHY COLLEGES

1. **Shri Kamaxidevi Homoeopathic Medical College & Hospital, Shiroda-Goa***Tuition & Development Fees (2010-11, 2011-12, 2012-13)*

Fees	First Year	Second Year	Third Year	Fourth Year
Tuition Fees (per semester)	Rs. 25,000	Rs. 25,000	Rs. 25,000	Rs. 25,000
Development Fees (per semester)	Rs. 5,000	Rs. 5,000	Rs. 5,000	Rs. 5,000
Institutional Fees	Rs. 1,250	Rs. 1,250	Rs. 1,250	Rs. 1,250

Details of Institution Fees (in Rupees)

Item of Fees	Amount
1. Gymkhana Fees (per term)	Rs. 100
2. Annual Social Gathering (yearly)	Rs. 100
3. Student Aid Fund (yearly)	Rs. 50
4. Magazine Fee (yearly)	Rs. 100
5. Dissection charges (one time)	Rs. 100
6. Identity Card (one time)	Rs. 50
7. Microscope charge (one time)	Rs. 100
8. Library Deposit (refundable)	Rs. 250
9. Caution Money (refundable)	Rs. 400
Total Institution Fees	Rs. 1,250

Fees for NRI Candidates

Item of Fees	Amount
Other Fees (Tuition+Institutional+Development)	for candidates admitted in 2010-11 US\$3,000 per year 2011-12 US\$4,000 per year 2012-13 US\$5,000 per year

D. PRIVATE INSTITUTES OF HOTEL MANAGEMENT & CATERING TECHNOLOGY

1. **Agnel Institute of Food Crafts and Culinary Sciences, Verna-Goa***Details of Fees (per year) (2010-11)*

Item of Fees	1st year	2nd year	3rd year
	Rs.	Rs.	Rs.
1. Tuition Fees	38,000	47,000	50,000
2. Development Fees	6,000	6,000	6,000
3. Training Food/Lab Fees	11,000	12,000	13,000
4. Equipment Maintenance and Operational Fees	10,000	10,000	10,000
5. Internal Exam Fees	50	50	50
6. Identity Card	200	200	200
7. Gymkhana Fees	300	300	300
8. Library Fees	300	300	300
Total	65,850	75,850	79,850
9. Library Deposit (refundable)	500	500	500
10. Caution Deposit (refundable)	1,000	1,000	1,000

2. Guardian Angel Institute of Hotel Management and Catering Technology, Curchorem-Goa

Details of Fees (Per Year) (2010-11)

Item of Fees	1st year	2nd year	3rd year
	Rs.	Rs.	Rs.
1. Tuition Fees	29,000	38,000	47,000
2. Development Fees	6,000	6,000	6,000
3. Training Food/Lab Fees	10,000	11,000	12,000
4. Equipment Maintenance and Operational Fees	10,000	10,000	10,000
5. Internal Exam Fees	50	50	50
6. Identity Card	200	200	200
7. Gymkhana Fees	300	300	300
8. Library Fees	300	300	300
Total	55,850	65,850	75,850
9. Library Deposit (refundable)	500	Rs. 500	500
10. Caution Deposit (refundable)	1,000	1,000	1,000

Note: In addition to the above, admission fees as applicable to General Category, applicants shall be payable by all the candidates admitted to the above institutions.

Department of Information and Publicity

Notification

DIP/Schemes/PKN/2010/6078

The Government has further modified the Patrakar Kritadnyata Nidhi Scheme (Journalist Benevolent Fund) notified under No. DI/Inf/ /Patr-Nidhi/2010/9746 dated 19th March, 2010. The amendment shall be inserted to **2. Eligibility** and read as e.f.g.h. as shown below:

(e) That the applicant shall submit a Declaration to the effect that no benefits financial assistance have been availed from the Government or any of its organization.

(f) That in case of treatment, original bills and photocopies of documents of hospital/ /institution must be submitted.

(g) In case of application made for specific treatment necessary certificate from Doctor from the hospital/institution from where the treatment is proposed to be taken/is being taken must be submitted.

(h) In case a journalist wants to avail of super speciality treatment, the Committee would recommend Rs. 02 lakhs. Bills should be submitted within three months.

By order and in the name of the Governor of Goa.

Menino Peres, Director & ex officio Joint Secretary (Information & Publicity).

Panaji, 4th February, 2011.

Notification

DI/INF/Jour-Wel-Fund(7)/2002/10-11/6169

Read: (1) Government Notification No. 12/5/ /2001-Fin.(R&C) dated 12-4-2002- -217/c published in the Official Gazette, Series II, dated, 25th July, 2002.

(2) Government Notification No. DI/ /INF/Jour-Wel-Fund(7)2002 dated 15-9-2008, published in Official Gazette, Series I No. 33 dated 13th November, 2008.

In exercise of the powers conferred by rule XXII of the Goa State Working Journalists Welfare Scheme Rules, 2002 and all other powers enabling it in this behalf, the Government of Goa hereby makes the following rules so as to further amend the Goa State Working Journalists Welfare Scheme Rules, 2002, namely:—

1. *Short title and commencement.*— (1) These rules may be called the Goa State Working Journalists Welfare Scheme (Amendment) Rules, 2010.

(2) They shall be deemed to have come into force on 1st day of April, 2010.

2. *Amendment of rule XII.*— In rule XII of the Goa State Working Journalists Welfare Scheme Rules, 2002 (hereinafter referred to as the "Principal Rules" for the letters and figures "Rs. 2000/- p.m.", the letters and figures "Rs. 2000 p.m.," the letters and figures "Rs. 4000/- p.m." shall be substituted.

3. *Substitution of rule XIII.*— For rule XIII of the principal Rules, the following rule shall be substituted, namely:—

"XIII Government assistance:

Rs. 5 lacs (Rupee five lacs only) initially for the year 2002 and thereafter in the following manner:—

(i) Rs. 2 lacs (Rupees two lacs only) every year, from the year 2003 till the year 2007;

(ii) Rs. 4 lacs (Rupees four lacs only) every year, from the year 2008 till the year 2010;

(iii) Rs. 12 lacs (Rupees twelve lacs only) every year, from the year 2011 till the year 2012".

By order and in the name of the Governor of Goa.

Menino Peres, Director & ex officio Joint Secretary (Information & Publicity).

Panaji, 10th February, 2011.

Department of Law & Judiciary

Law (Establishment) Division

Notification

6-28-92/LD/MISC-I(Legal Aid)

The following Notification of the Scheme for Legal Aid Counsel in the Courts of the Magistrate in the State of the Goa State Legal Services Authority is hereby published for general information of the public.

N. P. Singnapurker, Under Secretary (Estt).

Porvorim, 7th February, 2011.

NOTIFICATION BY THE GOA STATE
LEGAL SERVICES AUTHORITY

In exercise of the powers conferred by section 29-A r/w clause (g) of section (2) and clause (g) of section 12 of the Legal Services Authorities Act, 1987 (Act No. 39 of 1987) as amended in 1994 and in pursuance of the directions of the National Legal Services Authority dated 10th June, 1998 vide their letter No. F. No. 6(2)/98-NALSA-1269 the Goa State Legal Services Authority makes the following Scheme:

1. *Short title and commencement.*— The Scheme shall be called as the Scheme for Legal Aid Counsel in the Courts of Magistrates in the State of Goa.

It shall come into force from the date of its publication in the Official Gazette.

2. *Definition.*— (1) In this Scheme unless the context otherwise requires,—

(a) “Act” means Legal Services Authorities Act, 1987 (Act No. 39 of 1987), as amended in 1994.

(b) “Authority” means the State Legal Services Authority constituted under

section 6 of the Act and the District Legal Services Authorities constituted under section 9 of the Act.

(c) “Chairman” means Chairman of District Legal Services Authority or Taluka Legal Services Committee.

(d) “Committee” means Taluka Legal Services Committee constituted under section 11-A of the Act.

(e) “Court of a Magistrate” means and includes Court of the Chief Judicial Magistrate, Judicial Magistrate First Class, Executive Magistrate, Special Judicial Magistrate and all the officials exercising powers of a Magistrate to deal with the matters in respect of and relating to persons in custody.

(f) “Custody” means custody of a person as specified by section 12(g) of the Act.

(g) “Fee or remuneration” means fee or remuneration payable to Legal Aid Counsel appointed under this Scheme as per Schedule and as may be modified or revised from time to time by the State Authority by notification in the Official Gazette.

(h) “Legal Aid” means and includes rendering of any service by the Legal Aid Counsel appointed under this Scheme to person in custody in the Court of the Magistrate and to defend his interest.

(i) “Legal Aid Counsel” means practicing advocate enrolled under Advocates Act, 1961 and appointed as Legal Aid Counsel under this Scheme.

2. All other words and expressions used in this Scheme but not defined shall have the same meaning as assigned to them in the Act and the Rules framed by the State Authority.

3. *Scope and purpose of the Scheme.*— Emphasis of the Scheme shall be to provide Legal Assistance to persons in custody at the following three stages, namely:—

(i) opposing applications to Magistrate for remand to police custody and getting released the persons in custody, on bail.

(ii) Legal Assistance to persons in custody during trial for his defence.

(iii) Legal Assistance for preferring appeal or revision in the case of adverse orders against the person in custody.

4. *Entitlement to Legal Aid and Assistance.*— Any person in custody as provided in section 12 (g) and produced before a Magistrate during investigation, enquiry or trial who is not represented by an advocate shall be entitled to the services of a Legal Aid Counsel.

5. *Panel of Legal Aid Counsel.*— (1) The District Legal Services Authority shall in the first instance identify all the Courts of the Magistrates in their respective Districts for attaching Legal Aid Counsels.

(2) In case the work load in a particular Court or Courts is too little, one Legal Aid Counsel may be attached to two Courts.

(3) The District Legal Services Authority to which the implementation of the Scheme is entrusted, may prepare a panel of Legal Aid Counsel preferably with a standing minimum 5 years on criminal side.

(4) The panel so prepared by the District Legal Services Authority shall be sent to the State Authority for the approval of the Hon'ble Executive Chairman.

(5) The term of the panel of the Legal Aid Counsel shall be three years from the date of its approval.

(6) The District Legal Services Authority shall before the expiry of the term of the panel shall initiate the process for the preparation of a fresh panel.

(7) The District Authority may, in preparing a fresh panel consider suitability including his past performance, of Legal Aid Counsel whose term is to expire, for re-empanelment.

6. *Displaying the name and address of the Legal Aid Counsel.*— (1) The names and addresses of the Legal Aid Counsel so empanelled shall be displayed on the notice board of the District Legal Services Authority as well as that of the Courts concerned to which a particular member on the panel is attached as a Legal Aid Counsel with a requisite information as to who are eligible persons to have Legal Aid under this Scheme. It shall also be clearly mentioned in such display that no payment is required to be made by the party or on his behalf, in cash or in kind to the Legal Aid Counsel.

(2) The Scheme of Legal Aid Counsel shall be given wide publicity in the areas falling within the jurisdiction of the District Authority and the Taluka Committees by displaying hoardings at the places like Police Stations, Jails, Lock ups, etc.

7. *Appointment of Legal Aid Counsel and termination of the facility.*— (1) The empanelled Legal Aid Counsel attached to a particular Court or Courts shall be appointed by the Magistrate presiding over the Court, to represent the person in custody, if he is not otherwise represented or assisted by a legal practitioner to oppose an application for

remand to police custody, to apply and contest application for bail to get such person released or to defend him at the trial or any summons or warrant case or any case tried by summary procedure.

(2) The appointment of Legal Aid Counsel for the person in custody shall be made by an order in writing to be passed by the Magistrate presiding over that Court and copy of the order of appointment in the prescribed proforma (Form "A") shall be given to the Counsels so appointed and one copy shall be sent to the District Authority for record.

(3) The Legal Aid Counsel so appointed shall file his appearance and copy of the order of appointment in the matter of proceeding against the person in custody, mentioning specifically the purpose for which the appointment is made.

(4) Facility of Legal Aid Counsel given to the person in custody shall stand terminated.

(i) on and from the day such person set free from custody on bail or otherwise or,

(ii) the person in custody engages any other advocate of his own or is found by the Magistrate that such person is misusing the facility of Legal Aid Counsel or,

(iii) on attainment of the propose for which Legal Aid Counsel was appointed.

(5) When once the appointment of Legal Aid Counsel stands terminated as aforesaid such Legal Aid Counsel shall not be automatically entitled to work as such for that person for some other purpose unless

specifically ordered by the Magistrate presiding over the Court concerned.

(6) If there are several different proceedings against the person in custody there shall be separate order of appointment of Legal Aid Counsel for each such proceeding.

8. Duties and functions of Legal Aid Counsels.— (1) Legal Aid Counsel shall be obliged to be prompt and punctual by remaining present before the Court assigned to him during remand hours and also at the time and place fixed by the Magistrate.

Explanation.— The expression Court assigned to him also includes the Court of the Magistrates holding additional charge in the absence of the Presiding Judge of the Court of the Magistrate to which he is attached.

(2) It shall also be obligatory for the Legal Aid Counsel to be sincere and diligent in rendering all the necessary services as per law to the person in custody with the aim of protecting interest of such person.

9. Appeal revision etc. before the Sessions Court and the High Court.— (1) Any person in custody against whom adverse orders are passed by the Magistrate may prefer an appeal or revision before the Sessions Court or High Court as the case may be, but subject to the approval of the Member Secretary of the Authority concerned.

(2) For preferring an appeal or revision as aforesaid, the person in custody may be made available, the services or the assistance of the Legal Aid Counsel.

10. Removal of the name from the panel of Legal Aid Counsels.— (1) In case it comes to the notice of the Magistrate or it is otherwise brought to the notice of the magistrate by a complainant in writing that:

(a) the interest of the Legal Aid Counsel are adverse to the interest of the person in custody; or

(b) the Legal Aid Counsel is not sincere and diligent in performance of his duty; or

(c) engages himself in misconduct concerning the case or the person in custody; or

(d) accepts the fees or remuneration or anything in lieu thereof from the person in custody or on behalf of the person in custody; or

(e) is otherwise functioning or acting in breach of any of the provisions of this Scheme; or

(f) is found engaging himself in mis-behaviour or mal-practice and the like.

Such magistrate shall confidently inform the Chairman of the District Legal Services Authority.

(2) On receipt of any such report, the Chairman of District Legal Services Authority shall by himself hold a fact finding enquiry in the matter of allegations as may be deemed fit and proper in the circumstances.

(3) On completion of such inquiry the Chairman of District Legal Services Authority shall submit his detailed report with recommendations to the State Legal Services Authority and the District Authority shall according to the directions of the State Legal Services Authority if any, remove the name of such advocate from the panel of Legal Aid Counsel.

(4) If any Advocate of the panel of Legal Aid Counsel is found guilty of misconduct etc. by the disciplinary committee of the Bar Counsel with which he is enrolled and

debarred from practicing as an Advocate or under orders of the Court or is found guilty by any Court for committing any offence, the District Legal Services Authority shall on satisfaction of the fact, forthwith remove the name of such advocate from the panel under intimation to the State Authority.

(5) Removal of the name of the Advocate from the panel in the circumstances aforesaid shall disqualify him for reappointing on any panel in the State under the Scheme.

11. *Remuneration or fee payable to Legal Aid Counsel.*— (1) Remuneration or fee payable to the Legal Aid Counsel shall be dependent on the nature of proceeding for which he is appointed.

(I) A consolidated remuneration for opposing remand of person to police, making of application for bail, getting the person in custody released on bail including completion of all the formalities such as submission of bail papers etc. before the Magistrate shall be according to item 1 in Schedule-I.

(II) The fee payable for extending Legal Assistance during trial for defending the person in custody in a summons case or warrant case or any case tried by summary procedure in the Court of Magistrate shall be according to item No. 2, item No. 3 and item No. 4 respectively of Schedule-I as the case may be.

(III) The fee payable for filing and conducting the revision or the appeal before the Sessions Court against any adverse order passed against the person in custody shall be in accordance with the fees specified in Schedule-II and for the similar purpose before the High Court the fee payable shall be according to Schedule-III.

(IV) If on any day or days the Legal Aid Counsel is required to appear and conduct more than one proceedings in any Court to which he is attached and in defending the person in custody at the trial the total fee payable for that day shall not exceed one and half times of the maximum fee prescribed in the Schedule.

(V) In addition of the fee/remuneration payable to Legal Aid Counsel as provided hereinabove, the amount actually spent on account of payment of Court fee, typing charges and other incidental expenditure shall also be payable to Legal Aid Counsel if borne by him and subject to production of proof of such expenditure.

2(a) The payment of fee/remuneration and the incidental charges (if any) shall be only on the lodgment of the claim in writing and proforma giving all the details to the Court to which he is attached (Form "B").

(b) The Lodging of claim for attendance and appearance in the Court at Remand stage and for filing and contesting the bail applications as is provided shall be only on the expiry of the month and the claim for defending the person in custody during the trial shall also be made in the same manner but subject to the conditions that the claim specifies the case number of all the cases conducted effectively on the specified dates, specifying the manner of effective hearing etc. (Form "C").

Explanation.— The term effective hearing does not include only an appearance without progress of the case, notice to produce documents, notice to admit documents, admission and dismissal of

documents and date of Judgement when Legal Aid Counsel is not required to advance arguments.

(c) The claim for remuneration or fee shall be supported by a copy or copies of the order of appointment and a certificate or attendance under the signature of the Presiding Judge of the Court concerned, and in case of High Court under the signature of the Court Superintendents. The certificate to be given by the Presiding Judge of the Court shall be in the (Form "D") to be part of Form "C".

(3) With a view to ensure that the Legal Aid Counsel remains present in Court during Remand Hours or any other hour of the days and directed by the Court, the Legal Aid functionaries may insist for attendance certificate to be issued by the Court to Legal Aid Counsel before making him payment for Remand Hours.

(4) The Court of the Magistrate shall on verification and certification as abovestated, forward the claim to the District Legal Services Authority.

(5) On receipt of such claim the District Legal Services Authority shall make payment on scrutiny and verification of the correctness of the claim made by cross cheque on obtaining receipt of payment.

(6) The expenditure to be incurred towards payment of fee/remuneration or incidental charges shall be defrayed from the State Legal Aid Fund available with the District or High Court Legal Services Authority as the case may be or the Grant-in-Aid allotted to the Authorities concerned.

SCHEDULE-I

(See Clause 11 of the Scheme)

Sr. No.	Nature of proceedings before Magistrate	Minimum	Maximum	But not exceeding in the whole
1.	Remand/Bail etc.	Consolidated fee of Rs. 1,000/- p.m.		
2.	Summons case	Rs. 75/- (per effective date of hearing)	Rs. 100/- (per effective date of hearing)	Rs. 750/- (per effective date of hearing)
3.	Warrant case	Rs. 100/- (per effective date of hearing)	Rs. 200/- (per effective date of hearing)	Rs. 1000/- (per effective date of hearing)
4.	Any case fixed by summary procedure	Rs. 50/- (per effective date of hearing)	Rs. 75/- (per effective date of hearing)	Rs. 500/- (per effective date of hearing)

SCHEDULE-II

Sessions Court

(See Clause 11 of the Scheme)

Sr. No.	Nature of proceedings before Magistrate	Minimum	Maximum	But not exceeding in the whole
1.	Application for bail	Consolidated fee of Rs. 1,000/- p.m.		
2.	Revision	Consolidated fee of Rs. 750/- p.m.	Consolidated fee of Rs. 750/- p.m.	Consolidated fee of Rs. 750/- p.m.
3.	Appeal	Consolidated fee of Rs. 1000/- p.m.	Consolidated fee of Rs. 1000/- p.m.	Consolidated fee of Rs. 1000/- p.m.

SCHEDULE-III

High Court

(See Clause 11 of the Scheme)

Sr. No.	Nature of proceedings before Magistrate	Minimum	Maximum	But not exceeding in the whole
1.	Application for bail	Not exceeding Rs. 1,000/- p.m.		
2.	Revision	Not exceeding Rs. 1000/- p.m.	Not exceeding Rs. 1000/- p.m.	Not exceeding Rs. 1000/- p.m.
3.	Appeal	Not exceeding Rs. 1500/- p.m.	Not exceeding Rs. 1500/- p.m.	Not exceeding Rs. 1500/- p.m.

B. K. THALY,
Member Secretary

Notification

6-28-92/LD/MISC-I(Legal Aid)

The following Notification of Civil Procedure Alternate Dispute Resolution and Mediation Rules, 2006 in the State of Goa, is hereby published for general information of the public.

N. P. Singnapurker, Under Secretary (Estt).

Porvorim, 7th February, 2011.

NOTIFICATION BY THE HIGH COURT OF
JUDICATURE AT BOMBAY

**(For insertion in the Maharashtra
Government Gazette, Part IV C)**

No. P. 1601/2007

Civil Procedure Alternative Dispute Resolution and Mediation Rules, 2006.— In exercise of the rule making power under Part X of the Code of Civil Procedure, 1908 (5 of 1908) and clause (d) of sub-section (2) of Section 89 of the said Code, the High Court of Judicature at Bombay is hereby issuing the following Rules:—

PART I

Alternative Dispute Resolution Rules

Rule 1: *These Rules in Part I shall be called the "Civil Procedure Alternative Dispute Resolution Rules, 2006:*

Rule 2: *Procedure for directing parties to opt for alternative modes of settlement:*

(a) The Court shall, after recording admissions and denials at the first hearing of the suit under Rule 1 of Order X, and where it appears to the Court that there exist elements of a settlement which may be acceptable to the parties, formulate the terms of settlement and give them to parties for their observations under sub-section (1) of Section 89, and the parties shall submit to the Court their responses within thirty days of the first hearing.

(b) At the next hearing, which shall be not later than thirty days of the receipt of responses, the Court may reformulate the terms of a possible settlement and shall direct the parties to opt for one of the modes of settlement of disputes outside the Court as specified in clauses (a) to (d) of sub-section (1) of Section 89 read with Rule 1A of Order X, in the manner stated hereunder:

Provided that the Court, in the exercise of such power, shall not refer any dispute to arbitration or to judicial settlement including settlement through Lok Adalats without the written consent of all the parties to the suit.

Rule 3: *Persons authorised to take decision for the Union of India, State Governments and others:*

(1) For the purpose of Rule 2, the Union of India or the Government of a State or Union Territory, all local authorities, all Public Sector Undertakings, all statutory corporations and all public authorities shall nominate a person or persons or group of persons who are authorized to take a final decision as to the mode of Alternative Dispute Resolution in which it proposes to opt in the event of direction by the Court under Section 89 and sub-nomination shall be communicated to the High Court within the period of three months from the date of commencement of these Rules and the High Court shall notify all the subordinate Courts in this behalf as soon as such nomination is received from such Government or authorities.

(2) Where such person or persons or group of persons have not been nominated as aforesaid, such party as referred to in clause (1) shall, if it is a plaintiff, file alongwith the plaint or if it is a defendant file, alongwith or before the filing of the written statement, a memo into the Court, nominating a person or persons or group of persons who is or are authorised to take a final decision as to the mode of alternative dispute resolution, which the party prefers to adopt in the event of the Court, directing the party to opt for one or other mode of Alternative Dispute Resolution.

Rule 3A: Where the suit is filed by or against the party not referred to in Rule 3, plaintiff alongwith the plaint should file memo nominating a person by name or post who is authorised to take a final decision as to the mode of alternative dispute resolution which it proposes to adopt or if it is the defendant, file alongwith the written statement, a memo into the Court, nominating a person or persons or group of persons authorised to take the final decision as to the mode of alternative dispute resolution, which the party prefers to adopt in the event of the Court directing the party to opt for one or other mode of alternative dispute resolution.

Rule 4: *Court to give guidance to parties while giving direction to opt:*

(a) Before directing the parties to exercise option under clause (b) of Rule 2, the Court shall give such guidance as it deems fit to the parties, by drawing their attention to the relevant factors which parties will have to take into account, before they exercise their option as to the particular mode of settlement, namely:—

(i) that it will to the advantage of the parties, so far as time and expense are concerned, to opt for one or other of these modes of settlement referred to in Section 89 rather than seek a trial on the disputes arising in the suit;

(ii) that, where there is no relationship between the parties which requires to be preserved, it may be in the interest of the parties to seek reference of the matter of arbitration as envisaged in clause (a) of sub-section (1) of section 89;

(iii) that, where there is a relationship between the parties which requires to be preserved, it may be in the interest of parties to seek reference of the matter to conciliation or mediation, as envisaged in clauses (b) or (d) of sub-section (1) of Section 89;

Explanation.— Disputes arising in matrimonial, maintenance and child custody

matters shall, among others, be treated as cases where a relationship between the parties has to be preserved;

(iv) that, where parties are interested in a final settlement which may lead to a compromise, it will be in the interest of the parties to seek reference of the matter to Lok Adalat or to judicial settlement as envisaged in clause (c) of sub-section (1) of Section 89;

(v) the difference between the different modes of settlement as explained below:

Settlement by 'Arbitration' means the process by which an arbitrator appointed by parties or by the Court, as the case may be, adjudicates the disputes between the parties to the suit and passes an award by the application of the provisions of the Arbitration and Conciliation Act, 1996 (26 of 1996), in so far as they refer to arbitration.

Settlement by 'Conciliation' means the process by which a conciliator who is appointed by parties or by the Court, as the case may be, conciliates the disputes between the parties to the suit by the application of the provisions of the Arbitration and Conciliation Act, 1996 (26 of 1996) in so far as they relate to conciliation, and in particular, in exercise of his powers under Sections 67 and 72 of that Act, by making proposals for a settlement of the dispute and by formulating or reformulating the terms of a possible settlement; and has a greater role than a mediator.

Settlement by 'Mediation' means the process by which a mediator appointed by parties or by the Court, as the case may be, mediates the dispute between the parties to the suit by the application of the provisions of the Mediation Rules, 2006 in Part II, and in particular, by facilitating discussion between parties directly or by communicating with each other through the mediator, by assisting parties in identifying issues, reducing misunderstandings, clarifying priorities, exploring areas of compromise, generating options in an attempt to solve the dispute and

emphasizing that it is the parties own responsibility for making decisions which affect them.

Settlement in Lok Adalat means settlement by Lok Adalat as contemplated by the Legal Services Authority Act, 1987.

'Judicial settlement' means a final settlement by way of compromise entered into before a suitable institution or person to which the Court has referred the dispute and which institution or person are deemed to be the Lok Adalats under the provisions of the Legal Services Authority Act, 1987 (39 of 1987) and where after such reference, the provisions of the said Act apply as if the dispute was referred to a Lok Adalat under the provisions of that Act.

Rule 5: Procedure for reference by the Court to the different modes of settlement:

(a) Where all parties to the suit decide to exercise their option and to agree for settlement by arbitration, they shall apply to the Court, within thirty days of the direction of the Court under clause (b) of Rule 2 and the Court shall, within thirty days of the said application, refer the matter to arbitration and thereafter the provisions of the Arbitration and Conciliation Act, 1996 (26 of 1996) which are applicable after the stage of making the reference to arbitration under that Act, shall apply as if the proceedings were referred for settlement by way of arbitration under the provisions of that Act;

(b) Where all the parties to the suit decide to exercise their option and to agree for settlement by the Lok Adalat or where one of the parties applies for reference to Lok Adalat, the procedure envisaged under the Legal Services Act, 1987 and in particular by Section 20 of that Act, shall apply;

(c) Where all the parties to the suit decide to exercise their option and to agree for judicial settlement, they shall apply to the Court within thirty days of the direction under clause (b) of

Rule 2 and then the Court shall, within thirty days of the application, refer the matter to a suitable institution or person and sub-institution or person shall be deemed to be a Lok Adalat and thereafter the provisions of the Legal Services Authority Act, 1987 (39 of 1987) which are applicable after the stage of making of the reference to Lok Adalat under that Act, shall apply as if the proceedings were referred for settlement under the provisions of that Act;

(d) Where all the parties to the suit decide to exercise to their option and agree for settlement by mediation, they shall apply to the Court within thirty days of the direction of the Court under clause (b) Rule 2 and the Court shall, within thirty days of the said application, refer the matter to mediation and thereafter, the provisions of Civil Procedure Mediation Rules (Part-II) shall apply;

(e) (i) Where all the parties opt and agree for conciliation, they shall apply to the Court, within thirty days of the direction under clause (b) of Rule 2 and the Court shall, within thirty days of the application refer the matter to the conciliation and thereafter the provisions of the Arbitration and Conciliation Act, 1996 (26 of 1996) which are applicable after the stage of making of the reference to conciliation under that Act, shall apply, as if the proceedings were referred for settlement by way of conciliation under the provisions of that Act;

(ii) Where all the parties opt and agree for mediation, they shall apply to the Court within thirty days of the direction under clause (b) of Rule 2 and the Court shall, within thirty days of the application, refer the matter to mediation and then the Mediation Rules, 2006 in Part II shall apply;

(f) Where all the parties are not able to opt and agree for conciliation or mediation, one or more parties may apply to the Court within thirty days of the direction under clause (b) of Rule 2, seeking settlement through conciliation or mediation, as the case may be,

and in that event, the Court shall, within a further period of thirty days issue notice to the other parties to respond to the application, and

(i) in case all the parties agree for conciliation, the Court shall refer the matter to conciliation and thereafter the provisions of the Arbitration and Conciliation Act, 1996 which are applicable after the stage of making of the reference to conciliation under that Act, shall apply.

(ii) in case all the parties agree for mediation, the Court shall refer the matter to the mediation in accordance with the Civil Procedure-Mediation Rules, 2006 in Part II shall apply.

(iii) in case all the parties do not agree and where it appears to the Court that there exist elements of a settlement which may be acceptable to the parties and that there is a relationship between the parties which has to be preserved, the Court shall refer the matter to conciliation or mediation, as the case may be. In case the dispute is referred to conciliation, the provisions of the Arbitration and Conciliation Act, 1996 which are applicable after the stage of making of the reference to conciliation under that Act shall and in case the dispute is referred to mediation, the provisions of the Civil Procedure-Mediation Rules, 2006 shall apply.

(g) (i) Where none of the parties apply for reference either to arbitration, or Lok Adalat, or judicial settlement, or for conciliation or mediation, within thirty days of the direction under clause (b) of Rule 2, the Court shall, within a further period of thirty days, issue notices to the parties or their representatives fixing the matter for hearing on the question of making a reference either to conciliation or mediation.

(ii) After hearing the parties or their representatives on the day so fixed the Court shall, if there exist elements of a settlement

which may be acceptable to the parties and there is a relationship between the parties which has to be preserved, refer the matter to conciliation or mediation. In case the dispute is referred to conciliation, the provisions of the Arbitration and Conciliation Act, 1996 which are applicable after the stage of making of the reference to conciliation under that Act shall and in case the dispute is referred to mediation, the provisions of the Civil Procedure-Mediation Rules, 2006 shall apply.

(h) (i) No next friend or guardian for the suit shall, without the leave of the Court, expressly recorded in the proceedings of the Court, opt for any one of the modes of alternative dispute resolution nor shall enter into any settlement on behalf of a minor or person under disability with reference to the suit in which he acts as mere friend or guardian.

(ii) Where an application is made to the Court for leave to enter into a settlement initiated into the alternative dispute resolution proceedings on behalf of a minor or other person under disability and such minor or other person under disability is represented by counsel or pleader, the counsel or pleader shall file a certificate alongwith the said application to the effect that the settlement is, in his opinion, for the benefit of the minor or other person under disability. The decree of the Court based on the settlement to which the minor or other person under disability is a party, shall refer to the sanction of the Court thereto and shall set out the terms of the settlement.

Rule 5A: Nothing in these rules shall affect the power of the Court to refer the parties to any of the alternative dispute resolution mode specified in clauses (a) to (d) of sub-section (1) of Section 89 by consent of the parties at any stage of proceedings.

Rule 6: *Referral to the Court and appearance before the Court upon failure of attempts to settle disputes by conciliation or judicial settlement or mediation:*

(1) Where a suit has been referred for settlement for conciliation, mediation or judicial

settlement including settlement through Lok Adalat and has not been settled or where it is felt that it would not be proper in the interest of justice to proceed further with the matter, the suit shall be referred back again to the Court with a direction to the parties to appear before the Court on a specific date.

(2) Upon the reference of the matter back to the Court under sub-rule (1) or under sub-section (5) of Section 20 of the Legal Services Authority Act, 1987, the Court shall proceed with the suit in accordance with law.

Rule 7: Training in alternative methods of resolution of disputes, and preparation of manual:

(a) The High Court shall take steps to have training courses conducted in places where the High Court and the District Courts or Courts of equal status are located, by requesting bodies recognized by the High Court or the Universities imparting legal education or retired Faculty Members or other persons who, according to the High Court are well versed in the techniques of alternative methods of resolution of dispute, to conduct training courses for lawyers and judicial officers.

(b)(i) The High Court shall nominate a committee of judges, faculty members including retired persons belonging to the above categories, senior members of the Bar, other members of the Bar specially qualified in the techniques of alternative dispute resolution, for the purpose referred to in clause (a) and for the purpose of preparing a detailed manual of procedure for alternative dispute resolution to be used by the Courts in the State as well as by the arbitrators, or authority or person in the case of judicial settlement or conciliators or mediators.

(ii) The said manual shall describe the various methods of alternative dispute resolution, the manner in which any one of the said methods is to be opted for, the suitability of any particular method for any particular type of dispute and shall specifically deal with

the role of the above persons in disputes which are commercial or domestic in nature or which relate to matrimonial, maintenance and child custody matters.

(c) The High Court and the District Courts shall periodically conduct seminars and workshops on the subject of alternative dispute resolution procedures throughout the State or States over which the High Court has jurisdiction with a view to bring awareness of such procedures and to impart training to lawyers and judicial officers.

(d) Persons who have experience in the matter of alternative dispute resolution procedures, and in particular in regard to conciliation and mediation, shall be given preference in the matter empanelment for purposes of conciliation or mediation.

Rule 8: Applicability to other proceedings:

The provisions of these rules may be applied to proceedings before the Court, including Family Courts constituted under the Family Courts Act (66 of 1984), while dealing with matrimonial, maintenance and child custody disputes, wherever necessary, in addition to the rules framed under the Family Courts Act (66 of 1984).

PART II

Civil Procedure Mediation Rules

Rule 1: These Rules in Part II shall be called the Civil Procedure Mediation Rules, 2006:

Rule 2: Appointment of mediator:

(a) Parties to a suit may all agree on the name of the sole mediator for mediating between them.

(b) Where, there are two sets of parties and are unable to agree on a sole mediator, each set of parties shall nominate a mediator.

(c) Where parties agree on a sole mediator under clause (a) or where parties nominate more than one mediator under clause (b), the mediator need not necessarily be from the

panel of mediators referred to in Rule 3 nor bear the qualifications referred to in Rule 4 but should not be a person who suffers from the disqualifications referred to in Rule 5.

(d) Where there are more than two sets of parties having diverse interests, each set shall nominate a person on its behalf and the said nominees shall select the sole mediator and failing unanimity in that behalf, the Court shall appoint a sole mediator.

Rule 3: Panel of mediators:

(a) The High Court shall, for the purpose of appointing mediators between parties in suits and other proceeding prepare separate panels of mediators for the principal seat and each Bench and publish the same on its notice board, within thirty days of the coming into force of these Rules, with copy to the respective Bar Associations.

(b)(i) The Courts of the Principal District and Sessions Judge in each District or the Courts of the Principal Judge of the City Civil Court or Courts of equal status and Family Courts shall, for the purposes of appointing mediators to mediate between parties in suits filed on their original side, prepare a panel of mediators, within a period of 60 days of the commencement of these Rules, after obtaining of the approval of the High Court to the names included in the panel, and shall publish the same on their respective Notice Board.

(ii) Copies of the said panels referred to in clause (i) shall be forwarded to all the Courts of equivalent jurisdiction or Courts subordinate to the Courts referred to in sub-clause (i) and to the Bar Associations attached to each of the Courts.

(c) The consent of the persons whose names are included in the panel shall be obtained before empanelling them.

(d) The panel of names shall contain a detailed Annexure giving details of the qualifications of the mediators and their

professional or technical experience in different fields.

Rule 4: Qualifications of persons to be empanelled under Rule 3:

The following shall be treated as qualified and eligible for being enlisted in the panel of mediators under Rule 3, namely:—

(a) (i) Retired Judges of the Supreme Court of India;

(ii) Retired Judges of the High Court;

(iii) Retired District and Sessions Judges or retired Judges of the City Civil Court or Courts of equivalent status;

(b) Legal practitioners with at least 15 years standing at the Bar at the level of the Supreme Court or the High Court; or the District Courts or Courts of equivalent status;

(c) Experts or other professionals with at least 15 years standing or retired senior bureaucrats or retired senior executives;

(d) Institutions which are themselves experts in mediation and have been recognized as such by the High Court, provided the names of its members are approved by the High Court initially or whenever there is change in membership.

Rule 5: Disqualifications of persons:

The following persons shall be deemed to be disqualified for being empanelled as mediators:

(i) any person who has been adjudged as insolvent or is declared of unsound mind,

(ii) or any person against whom criminal charges involving moral turpitude are framed by a Criminal Court and are pending, or

(iii) any person who has been convicted by a Criminal Court for any offence involving moral turpitude,

(iv) any person against whom disciplinary proceeding or charges relating to moral turpitude have been initiated by the appropriate disciplinary authority which are pending or have resulted in a punishment,

(v) any person who is interested or connected with the subject-matter of dispute or is related to any one of the parties or to those who represent them, unless such objection is waived by all the parties in writing,

(vi) any legal practitioner who has or is appearing for any of the parties in the suit or in other suit or proceedings,

(vii) such other categories of persons as may be notified by the High Court.

Rule 6: Venue for conducting mediation:

The mediator shall conduct the mediation at one or other of the following places:—

(i) Venue of the Lok Adalat or permanent Lok Adalat.

(ii) Any place identified by the High Court.

(iii) Any place identified by the District Judge or Principal Judge, City Civil Court or Principal Judge, Family Court, within the Court precincts for the purpose of conducting mediation.

(iv) Any place identified by the Bar Association or State Bar Council for the purpose of mediation, within the premises of the Bar Association or State Bar Council, as the case may be.

(v) Any other place as may be agreed upon by the parties subject to the approval of the Court.

Rule 7: Preference:

The Court shall, while nominating any person from the panel of mediators referred to in Rule 3, consider his suitability for resolving the particular class of dispute involved in the suit and shall give preference to those who have proven record of successful mediation or who have special qualification or experience in mediation.

Rule 8: Duty of mediator to disclose certain facts:

(a) When a person is approached in connection with his possible appointment as a mediator, the person shall disclose in writing to the parties, any circumstances likely to give rise to a justifiable doubt as to his independence or impartiality.

(b) Every mediator shall, from the time of his appointment and throughout the continuance of the mediation proceedings, without delay, disclose to the parties in writing, about the existence of any of the circumstances referred to in clause (a).

Rule 9: Cancellation of appointment:

Upon information furnished by the mediator under Rule 8 or upon any other information received from the parties or other persons, if the court, in which the suit is filed, is satisfied, after conducting such inquiry as it deems fit, and after giving a hearing to the mediator, that the said information has raised a justifiable doubt as to the mediator's independence or impartiality, it shall cancel the appointment by a reasoned order and replace him by another mediator.

Rule 10: Removal or deletion from panel:

A person whose name is placed in the panel referred to in Rule 3 may be removed or his name be deleted from the said panel, by the Court which empanelled him, if:

(i) he resigns or withdraws his name from the panel for any reason;

(ii) he is declared insolvent or is declared of unsound mind;

(iii) he is a person against whom criminal charges involving moral turpitude are framed by a criminal court and are pending;

(iv) he is a person who has been convicted by a criminal court for any offence involving moral turpitude;

(v) he is a person against whom disciplinary proceedings on charges relating to moral turpitude have been initiated by appropriate disciplinary authority which are pending or have resulted in a punishment;

(vi) he exhibits or displays conduct, during the continuance of the mediation proceedings, which is unbecoming of a mediator;

(vii) the Court which empanelled, upon receipt of information, if it is satisfied, after conducting such inquiry as it deem fit, is of the view, that it is not possible or desirable to continue the name of that person in the panel:

Provided that, before removing or deleting his name, under clause (vi) and (vii), the Court shall hear the mediator whose name is proposed to be removed or deleted from the panel and shall pass a reasoned order.

Rule 11: Procedure of mediation:

(a) The parties may agree on the procedure to be followed by the mediator in the conduct of the mediation proceedings.

(b) Where the parties do not agree on any particular procedure to be followed by the mediator, the mediator shall follow the procedure hereinafter mentioned, namely:—

(i) he shall fix, in consultation with the parties, a time schedule, the dates and the time of each mediation session, where all parties have to be present;

(ii) he shall hold the mediation conference in accordance with the provisions of Rule 6;

(iii) he may conduct joint or separate meetings with the parties;

(iv) each party shall, ten days before a sessions, provide to the mediator a brief memorandum setting forth the issues, which according to it, need to be resolved, and its position in respect to these issues and all information reasonably required for the mediator to understand the issue: such memoranda shall also be mutually exchanged between the parties;

(v) each party shall furnish to the mediator, copies of pleadings or documents or such other information as may be required by him in connection with the issues to be resolved:

Provided that where the mediator is of the opinion that he should look into any original document, the Court may permit him to look into the original document before such officer of the Court and on such date or time as the Court may fix;

(vi) each party shall furnish to the mediator such other information as may be required by him in connection with the issues to be resolved.

(c) Where there is more than one mediator, the mediator nominated by each party shall first confer with the party that nominated him and shall thereafter interact with the other mediators, with a view to resolving the disputes.

Rule 12: The Mediator not bounded by Evidence Act, 1872 or Code of Civil Procedure, 1908:

The mediator shall not be bound by the Code of Civil Procedure, 1908 or the Evidence Act, 1872, but shall be guided by principles of fairness and justice having regard to the rights and obligations of the parties, usages of trade, if any, and the nature of the dispute.

Rule 13: *Non-attendance of parties at sessions or meetings on due dates:*

(a) The parties shall be present personally or may be represented by their counsel or power of attorney holders at the meetings or sessions notified by the mediator.

(b) If a party fails to attend a session or a meeting notified by the mediator, other parties or the mediator can apply to the Court in which the suit is filed, to issue appropriate directions to that party to attend before the mediator and if the Court finds that a party is absenting himself before the mediator without sufficient reason, the Court may take action against the said party by imposition of costs.

(c) The parties not resident in India, may be represented by their counsel or power of attorney holders at the sessions or meetings.

(d) For the purpose of clauses (a) and (c) where the parties are represented by counsel or power of attorney, as the case may be, such counsel or power of attorney shall have authority to settle and compromise.

Rule 14: *Administrative assistance:*

In order to facilitate the conduct of mediation proceedings, the parties, or the mediator with the consent of the parties, may arrange for administrative assistance by a suitable institution or person.

Rule 15: *Offer of settlement by parties:*

(a) Any party to the suit may, 'without prejudice', offer a settlement to the other party at any stage of the proceeding, with notice to the mediator.

(b) Any party to the suit may make a, 'with prejudice' offer, to the other party at any stage of the proceedings, with notice to the mediator.

Rule 16: *Role of mediator:*

The mediator shall attempt to facilitate voluntary resolution of the dispute by the parties, and communicate the view of each

party to the other, assist them in identifying issues, reducing misunderstandings, clarifying priorities, exploring areas of compromise and generating options in an attempt to solve the dispute, emphasizing that it is the responsibility of the parties to take decision which effect them; he shall not impose any terms of settlement on the parties.

Rule 17: *Parties alone responsible for taking decision:*

The parties must understand that the mediator any facilitates in arriving at a decision to resolve disputes and that he will not and cannot impose any settlement nor does the mediator give any warranty that the mediation will result in a settlement. The mediator shall not impose any decision on the parties.

Rule 18: *Time limit for completion of mediation:*

On the expiry of sixty days from the date fixed for the first appearance of the parties before the mediator, the mediation shall stand terminated, unless the Court, which referred the matter, either *suo moto*, or upon request by the mediator or any of the parties, and upon hearing all the parties, if of the view that extension of time is necessary or may be useful; but such extension shall not be beyond a further period of thirty days.

Rule 19: *Parties to act in good faith:*

While no one can be compelled to commit to settle his case in advance of mediation, all parties shall commit to participate in the proceedings in good faith with the intention to settle the dispute, if possible.

Rule 20: *Confidentiality, disclosure and inadmissibility of information:*

(1) When a mediator receives confidential information concerning the dispute from any party, he shall disclose the substance of that information to the other party, if permitted in writing by the first party.

(2) When a party gives information to the mediator subject to a specific condition that it be kept confidential, the mediator shall not disclose that information to the other party, nor shall the mediator voluntarily divulge any information regarding the documents or what is conveyed to him orally as to what transpired during the mediation.

(3) Receipt or perusal, or preparation of records, reports or other documents by the mediator, or receipt of information orally by the mediator while serving in that capacity, shall be confidential and the mediator shall not be compelled to divulge information regarding the documents nor in regard to the oral information nor as to what transpired during the mediation.

(4) Parties shall maintain confidentiality in respect of events that transpired during mediation and shall not rely on or introduce the said information in any other proceedings as to:

(a) views expressed by a party in the course of the mediation proceedings;

(b) documents obtained during the mediation which were expressly required to be treated as confidential or other notes, drafts or information given by parties or mediators;

(c) proposals made or views expressed by the mediator;

(d) admission made by a party in the course of mediation proceedings;

(e) the fact that a party had or had not indicated willingness to accept a proposal;

(5) There shall be no stenographic or audio or video recording of the mediation proceedings.

(6) A Mediator may maintain personal record regarding dates fixed by him and the progress of the mediation for his personal use.

Rule 21: *Privacy: Mediation sessions and meetings are private:*

Only the concerned parties or their counsel or power of attorney holders can attend. Other persons may attend only with the permission of the parties or with the consent of the mediator.

Rule 22: *Immunity:*

Notwithstanding anything contained in any other law for the time being in force and subject to the provisions of the Contempt of Courts Act, no Court shall entertain or continue any civil or criminal proceedings against any person who is or was a mediator appointed by the Court, for any act, thing or word committed, done or spoken by him when, or in the course of, acting or purporting to act in the discharge of his officially delegated function as mediator, nor shall he be summoned by any party to the suit to appear in a Court of Law to testify in regard to information received by him or action taken by him or in respect of drafts or records prepared by him or shown to him during the mediation proceedings.

Rule 23: *Communication between mediator and the Court:*

(a) In order to preserve the confidence of parties in the Court and the neutrality of the mediator, there should be no communication between the mediator and the Court, except as stated in clauses (b) and (c) of this Rule.

(b) If any communication between the mediator and the Court is necessary, it shall be in writing and copies of the same shall be given to the parties or their counsel or power of attorney.

(c) Communication between the mediator and the Court shall be limited to communication by the mediator:

(i) with the Court about the failure of party to attend;

(ii) with the Court with the consent of the parties;

(iii) regarding his assessment that the case is not suited for settlement through mediation;

(iv) that the parties have settled the dispute or disputes.

Rule 24: Settlement Agreement:

(1) Where an agreement is reached between the parties in regard to all the issues in the suit or some of the issues, the same shall be reduced to writing and signed by the parties or their power of attorney holder. If any counsel have represented the parties, they shall attest the signature of their respective clients.

(2) The agreement of the parties so signed and attested shall be submitted to the mediator who shall, with a covering letter signed by him, forward the same to the Court in which the suit is pending.

(3) Where no agreement is arrived at between the parties, before the time limit stated in Rule 18 or where, the mediator is of the view that no settlement, is possible, he shall report the same to the said Court in writing:

Provided that wherever the mediation fails, the mediator shall not express any opinion on the merits or demerits of the matter, conduct of the parties, the nature of process or causes which led to failure of mediation.

Rule 25: Court to fix a date for recording settlement and passing decree:

(1) Within seven days of the receipt of any settlement, the Court shall issue notice to the parties fixing a day for recording the settlement, such date not being beyond a further period of fourteen days from the date of receipt of settlement, and the Court shall record the settlement, if it is not collusive.

(2) The Court shall then pass a decree in accordance with the settlement so recorded if

the settlement disposed of all the issues in the suit.

(3) If the settlement disposes of only certain issues arising in the suit, the Court shall record the settlement on the date fixed for recording the settlement and—

(i) if the issues are servable from other issues and if a decree could be passed to the extent of the settlement covered by those issues, the Court may pass a decree straightaway in accordance with the settlement on those issues without waiting for a decision of the Court on the other issues which are not settled,

(ii) if the issues are not servable, the Court shall wait for a decision of the Court on the other issues which are not settled.

Rule 26: Fee of mediator and costs:

(1) At the time of referring the disputes to mediation, the Court shall, after consulting the mediator and the parties, fix the fee of the mediator.

(2) As far as possible a consolidated sum may be fixed rather than for each session or meeting.

(3) Where there are two mediators as in clause (b) of Rule 2, the Court shall fix the fee payable to the mediators which shall be shared equally by the two sets of parties.

(4) The expense of the mediation including the fee of the mediator, costs of administrative assistance, and other ancillary expenses concerned, shall be borne equally by the various contesting parties or as may be otherwise directed by the Court.

(5) Each party shall bear the costs for production of witnesses on his side including experts, or for production of documents.

(6) The mediator may, before the commencement of mediation, direct the parties to deposit equal sums, tentatively, to

the extent of 40% of the probable costs of the mediation, as referred to in clauses (1), (3) and (4). The remaining 60% shall be deposited with the mediator, after the conclusion of mediation. For the amount of cost paid to the mediator, he shall issue the necessary receipts and a statement of account shall be filed, by the mediator in the Court.

(7) The expense of mediation including fees, if not paid by the parties, the Court shall, on the application of the mediator or parties, direct the concerned parties to pay, and if they do not pay, the mediator or the parties, as the case may be, shall recover the said amount as if there was a decree.

(8) Where a party is entitled to legal aid under Section 12 of the Legal Services Authority Act, 1987, the amount of fee payable to the mediator and costs shall be paid by the concerned Legal Services Authority under that Act.

Rule 27: Ethics to be followed by Mediator:

The mediator shall.—

(1) follow and observe these Rules strictly and with due diligence;

(2) not carry on any activity or conduct which could reasonably be considered as conduct unbecoming of a mediator;

(3) uphold the integrity and fairness of the mediation process;

(4) ensure that the parties involved in the mediation and fairly informed and have an adequate understanding of the procedural aspects of the process;

(5) satisfy himself/herself that he/she is qualified to undertake and complete the assignment in a professional manner;

(6) disclose any interest or relationship likely to affect impartiality or which might seek an appearance of partiality of bias;

(7) avoid, while communicating with the parties, any impropriety or appearance of impropriety;

(8) be faithful to the relationship of trust and confidentiality imposed in the office of mediator;

(9) conduct all proceedings related to the resolutions of a dispute, in accordance with the applicable law;

(10) recognize that mediation is based on principles of self determination by the parties and that mediation process relied upon the ability of parties to reach a voluntary undisclosed agreement;

(11) maintain the reasonable expectations of the parties as to confidentiality;

(12) refrain from promises or guarantees of results.

Rule 28: Transitory provisions:

Until a panel of mediators is prepared as provided in Rule 3 (a) and Rule 3 (b) (i), the Courts may nominate a mediator of their choice if the mediator belongs to the various classes of persons referred to in Rule 4 and is duly qualified and is not disqualified, taking into account the suitability of the mediator for resolving the particular dispute.

High Court of Judicature at Bombay

S. S. HINGNE,
I/c. Registrar (Legal)

Dated: September, 2007.

—◆◆—

Department of Personnel

Notification

7/33/97-PER

In exercise of the powers conferred by Article 318 of the Constitution of India, the

Governor of Goa, hereby makes the following regulations, so as to further amend the Goa Public Service Commission (Members and Staff) (Conditions of Service) Regulations, 1988, as follows, namely:—

1. *Short title and commencement.*— (1) These regulations may be called the Goa Public Service Commission (Members and Staff) (Conditions of Service) (Eleventh Amendment) Regulations, 2010.

(2) Save as otherwise provided in these regulations, they shall come into force at once.

2. *Amendment of regulation 6.*— In regulation 6 of the Goa Public Service Commission (Members and Staff) (Conditions of Service) Regulations, 1988 (hereinafter called the “principal Regulations”), for sub-regulation (1), the following shall be substituted, namely:—

(i) “Subject to the provisions of these regulations, with effect from 1st January, 2006, there shall be paid to the Chairman a salary of Rs. 80,000/- (fixed) per mensem and to each of the other members a salary of Rs. 75,500/- (fixed) per mensem”.

(ii) *for the first proviso, the following shall be substituted, namely:—*

“Provided that in the case of the person who is appointed as Chairman and has drawn salary of more than Rs. 80,000/- per mensem, at the time of his retirement, then his salary shall be fixed at the same amount of salary last drawn by him at the time of his retirement. However, this will be subject to clause (3) hereunder”.

3. *Amendment of regulation 9.*— In regulation 9 of the principal Regulations, in

sub-regulation (4), after the existing proviso, the following proviso shall be inserted, namely:—

“Provided further that a member, who, at a time of his appointment as such, has rendered not less than 20 years of pensionable service in the Government plus six years of service in Commission, be paid full pension as is applicable to the Government employee under the recommendations of Sixth Central Pay Commission where completed pensionable service is 20 years.”.

4. *Amendment of regulation 11.*— In regulation 11 of the principal Regulations, with effect from 30th June, 2007:—

(a) in clause (i), for the expression “rupees fifty-four thousand seven hundred eighty-five”, the expression “rupees one lakh ninety-five thousand six hundred sixty-one” shall be substituted;

(b) in clause (ii), for the expression “rupees fifty-two thousand”, the expression “rupees one lakh seventy-five thousand two hundred sixty-eight” shall be substituted;

(c) in *Explanation II*, for the expression “rupees sixty-nine thousand seven hundred forty-three”, the expression “rupees two lakh forty-nine thousand and eighty-three” shall be substituted.

By order and in the name of the
Governor of Goa.

Yetindra M. Maralkar, Joint Secretary
(Personnel).

Porvorim, 3rd February, 2011.

Notification

1/24/86-PER (Pt.)

In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, and in supersession of the existing Recruitment Rules for the posts of Chief Electrical Engineer and Superintending Engineer (Electrical), published vide Notification No. 1/24/86-PER(Pt.) dated 26-2-2008, in the Official Gazette, Extraordinary, Series I No. 48 dated 28-2-2008, the Governor of Goa hereby makes the following rules to regulate the recruitment to the Group 'A', Gazetted posts, in the Electricity Department, Government of Goa, namely:—

1. *Short title, application and commencement.*— (1) These rules may be called the Government of Goa, Electricity Department, Group 'A', Gazetted posts, Recruitment Rules, 2011.

(2) They shall apply to the posts specified in column (2) of the Schedule to these rules (hereinafter called as the "said Schedule").

(3) They shall come into force from the date of their publication in the Official Gazette.

2. *Number, classification and scale of pay.* — The number of posts, classification of the said posts and the scale of pay attached thereto shall be as specified in columns (3) to (5) of the said Schedule:

Provided that the Government may vary the number of posts as specified in column (3) of the said Schedule from time to time subject to exigencies of work.

3. *Method of recruitment, age limit and other qualifications.*— The method of recruitment to the said posts, age limit, qualifications and other matters connected

therewith shall be as specified in columns (6) to (14) of the said Schedule.

4. *Disqualification.*— No person who has entered into or contracted a marriage with a person having a spouse living or who, having a spouse living, has entered into or contracted a marriage with any person, shall be eligible for appointment to the service:

Provided that the Government may, if satisfied that such marriage is permissible under the personal law applicable to such person and the other party to the marriage and that there are other grounds for so doing, exempt any person from the operation of this rule.

5. *Power to relax.*— Where, the Government is of the opinion that it is necessary or expedient so to do, it may, by order, for reasons to be recorded in writing, and in consultation with the Goa Public Service Commission, relax any of the provisions of these rules with respect to any class or category of persons.

6. *Saving.*— Nothing in these rules shall affect reservation, relaxation of age limit and other concessions required to be provided for Scheduled Castes and other special categories of persons in accordance with the orders issued by the Government from time to time in that regard.

These rules are issued in consultation with the Goa Public Service Commission conveyed vide its letter No. COM/II/13/16(1)/92/4239 and No. COM/II/13/16(1)/06/4240 both dated 07-2-2011.

By order and in the name of the Governor of Goa.

Yetindra M. Maralkar, Joint Secretary (Personnel).

Porvorim, 10th February, 2011.

SCHEDULE

Serial number	Name/ Designation of post	Number of posts	Classifi- cation	Scale of pay	Whether selec- tion post or non- selec- tion post	Whether the benefit of added years of service is admissible under rule 30 of CCS (Pension) Rules, 1972	Educational and other qualifications required for direct recruits	Whether age & educational qualifications prescribed for the direct recruits will apply in the case of promotees	Period of proba- tion, if any	Method of recruitment, whether by direct recruitment or by promotion/ or by deputation/ /transfer/contract and percentage of the vacancies to be filled by various methods	In case of recruit- ment by promotion/ /deputation/ /transfer, grades from which promotion/ /deputation/ /transfer is to be made	If a D.P.C. exists, what is its compo- sition	Circumstances in which the Goa Public Service Commission is to be consulted in making recruitment
1	2	3	4	5	6	7	8	9	10	11	12	13	14
1.	Chief Electrical Engineer.	1 (2011) (Subject to variation depen- dent on work- load).	Goa General Service, Group 'A', Gaze- tted.	PB-4 Rs. 37,400- 67,000 + Grade Pay Rs. 8,700/-.	Sele- ction.	Not appli- cable.	Not appli- cable.	No.	Two years.	By promotion, failing which, by transfer on deputation and failing both, by short term contract.	Promotion: Superin- tending Engineers with 5 years regular service in the grade. Transfer on deputa- tion (including short- term contract): Offi- cers of the Central Gov- ernment/Central Pub- lic Sector Undertaking connected with power sector, or officers of the State Government/ Union Territories/ State Electricity Boards/State Public Sector Undertakings connected with power distribution, possess- ing a Degree in Elec- trical Engineering and holding analogous post or with at least 5 years regular service in the grade of Superin- tending Engineer or equivalent (Period of deputation shall ordi- narily not exceed 4 years).	Group 'A', D.P.C. consisting of:- 1. Chairman/ Member of the Goa Public Service Commission —Chairman. 2. Chief Secretary or his nominee —Member. 3. Administra- tive Secre- tary/Head of Depart- ment —Member.	Consa- tion with the Goa Public Service Commis- sion is necessary for making promotion, confirma- tion, selecting an Officer for appoint- ment on transfer on deputation (including short term contract) and for amending/ /relaxing any of the provisions of these Rules.

1	2	3	4	5	6	7	7(a)	8	9	10	11	12	13	14
2. Superin-	tending	4	Goa	PB-3	Sele-	Not	Not	Not applicable.	No.	Two years.	By	Promotion: Executive	Group	Consa-
Engineer	(Elec-	(2011)	General	Rs.	ction.	appli-	appli-				promotion,	Engineer possessing a	'A',	tation with
(Elec-	trical).	Subject	Service,	15,600-		cable.	cable.				failing	Degree in Electrical	D.P.C.	the Goa
		to	Group	-39,100							which, by	Engineering with 5	consisting of:-	Public
		variation	'A',	+							transfer on	years regular service in	1. Chairman/	Service
		depen-	Gaze-	Grade							deputation	the grade.	/Member of	Commis-
		dent on	tted.	Pay							and failing		the Goa	sion is
		work-		Rs.							both, by	Transfer on deputa-	Public	necessary
		load).		7,600/-.							short term	tion (including short-	Service	for making
											contract.	-term contract): Offic-	Commission	promotion,
												ers of the Central Go-	—Chairman.	confirma-
												vernment/Central	2. Chief	tion,
												Public Sector Under-	Secretary or	selecting
												taking connected with	his nominee	an Officer
												power sector, or offic-	—Member.	for
												ers of the State Gov-	3. Administra-	appoint-
												ernment/Union Territo-	tive Secre-	ment on
												ries/State Electricity	tary/Head	transfers
												Boards/State Public	of Depart-	on
												Sector Undertaking	ment	deputation
												connected with power	—Member.	(including
												distribution, possess-	(for promotion	short term
												ing a Degree in Elec-	and confir-	contract)
												trical Engineering and	mation).	and for
												holding analogous		amending/
												posts or with at least 5		/relaxing
												years regular service in		any of the
												the grade of Executive		provisions
												Engineer or equivalent		of these
												(Period of deputation		Rules.
												shall ordinarily not ex-		
												ceed 4 years).		

Department of Public Health

Notification

22/1/2003-I/PHD

Whereas the draft rules which the Government of Goa proposes to make under the Goa Medical Practitioners Act, 2004 (Goa Act 9 of 2004) (hereinafter referred to as the "said Act"), were pre-published as required by sub-section (1) of section 18 of the said Act, in the Official Gazette, Series I No. 17 dated 22-7-2010, under Notification No. 22/1/2003-I/PHD dated 12-7-2010, of the Department of Public Health, Government of Goa, inviting objections and suggestions from all persons likely to be affected thereby within fifteen days from the date of publication of the said Notification in the Official Gazette;

And whereas the said Gazette was made available to the public on the 22nd July, 2010;

And whereas no objections or suggestions have been received from the public on the said draft Rules by the Government.

RULES

Now, therefore, in exercise of the powers conferred by section 18 read with sections 3 to 7, 10 and 12 of the Goa Medical Practitioners Act, 2004 (Goa Act 9 of 2004) and all other powers enabling it in this behalf, the Government of Goa hereby makes the following rules, namely:—

1. *Short title and commencement.*— (1) These rules may be called the Goa Medical Practitioners Rules, 2011.

(2) They shall come into force from such date as the Government may, by notification in the Official Gazette, specify.

2. *Definitions.*— In these rules, unless the context otherwise requires,—

(a) 'Act' means the Goa Medical Practitioners Act, 2004 (Goa Act 9 of 2004);

(b) 'clinic' means a place where one or more Medical Practitioners provide medical treatment to the Out-patients;

(c) 'Director' means the Director of Health Services, Goa;

(d) 'Form' means a form appended to these rules;

(e) 'hospital' means a place where patients are admitted as In-patients and where treatment is available for a number of ailments;

(f) 'license' means a license granted under the provisions of the Act and these rules;

(g) 'Medical Superintendent' means a person, by whatever name and designation he/she is called, who is a medical practitioner and is in-charge of, or is entrusted with the running of, a clinic, Hospital or Nursing Home;

(h) 'nursing home' means a place where the patients are admitted and where they can avail of specific specialty medical services;

(i) 'Schedule' means a Schedule appended to these rules;

Words and expressions used herein but not defined shall have the same meaning as assigned to them in the Act.

3. *Minimum Standards.*— Every private doctor/medical practitioner engaged in private practice shall conform to the minimum standards referred to in section 4 of the Act, as specified in the Schedule hereto.

4. *Procedure for obtaining license.*— (1) An application for a license under sections 3, 3A or section 5 of the Act or for renewal of license under section 10 of the Act, as the case may be, shall be made to the Competent Authority in Form I hereto alongwith a fee of Rs. 250/- (Rupees Two hundred fifty only) by demand draft drawn in favour of the Director.

(2) The Competent Authority, on receipt of such application, shall make enquiry and direct the Inspecting Authority to inspect the Clinic/Hospital/Nursing Home/Diagnostic Centre/Pathological Laboratory where the applicant is practicing/proposes to practice and to find out whether the applicant fulfills the minimum standards specified in the Schedule to these rules and submit to the Competent Authority its Inspection Report.

(3) On the basis of the Inspection Report, the Competent Authority may grant the license, or as the case may be, refuse to grant the license after recording the reasons for such refusal in writing.

(4) The license shall be granted in Form II hereto.

(5) The license granted under sub-rule (4) shall be valid for a period of five years from the date of its issue, provided that the licensee is holding or continues to hold a valid registration from the Goa Medical Council or the Goa Dental Council or the Goa Board of Indian System of Medicine and Homoeopathy, as the case may be. The Licensee shall apply for renewal of license within ninety days before the date of expiry of the license.

(6) The Competent Authority or the Inspecting Authority, at any time, on receipt of complaint or otherwise, visit a Clinic/Hospital/Nursing Home/Diagnostic Centre/Pathological laboratory with or without prior notice, and verify whether the provisions of the Act, these rules and the conditions of the license are being duly observed or not.

(7) The Inspection Report, together with the observations, if any, of the Competent Authority, shall be communicated to the concerned doctor or the Medical Superintendent, as the case may be, for compliance within sixty days from the date of receipt of the same.

(8) In case of failure to comply with the observations communicated under sub-rule (7) above within the specified time, the license

shall be liable to be cancelled/suspended for such period as may be specified in writing in that behalf.

5. *Manner of filing appeal.*— Every appeal against the order of Competent Authority shall be preferred before the Appellate Authority accompanied by the order against which the appeal is being preferred and fee of Rs. 500/- (Rupees Five hundred only) by demand draft drawn in favour of the Director.

By order and in the name of the
Governor of Goa.

D. G. Sardesai, Joint Secretary (Health).

Porvorim, 11th February, 2011.

SCHEDULE

(See rule 3)

(Standards to be maintained by doctor/medical practitioner engaged in practice in Medicine/Dentistry in a clinic or in Hospital/Nursing Home/Diagnostic Centre/Pathological Laboratory)

(I) *Staff.*— (1) The Medical Practitioner shall be assisted by para-medical staff, including qualified Nurse/s and Technician/s (wherever required), with Attendants/Servants, etc.

(2) They should be free from communicable or contagious diseases and medically examined at the time of appointment and thereafter at every six months.

(3) They should wear clean clothes or identifiable uniforms.

(II) *Facilities.*— The premises should include—

(1) A Consulting Room;

(2) A Patient Room;

(3) A Reception/Lobby area;

(4) Equipments and Instruments of good quality and in adequate quantity to carry out the various required tasks;

(5) Beds with mattresses and linen;

(6) Adequate number of toilets with water facility;

(7) Fully equipped Operation Theatre and Labour Room;

(8) Proper method of disposal of Bio-Medical Waste as per the Bio-Medical Waste (Management and Handling) Rules, 1998, as amended from time to time.

(III) In case of Hospital/Nursing Home/Diagnostic Centre/Pathological Laboratory, names, addresses and license numbers of all the practicing doctors/medical practitioners including that of honorary doctors shall be displayed at conspicuous place.

(IV) Minimum standards as laid down under trade license issued by the Municipal Corporation/Municipal Council/Village Panchayat concerned shall be maintained.

(V) In addition to above, proper hygiene and cleanliness, adequate water and power supply quality equipment/instruments, beds with mattresses and linen, shall be provided and always maintained neat and clean.

FORM I
[See rule 4 (1)]

Application for License/Renewal of License to Practice Medicine/Dentistry in a Clinic/Hospital/Nursing Home/Diagnostic Centre/Pathological Laboratory.

To

The Competent Authority,
Directorate of Health Services,
Campal, Panaji-Goa.

Sir/Madam,

I wish to apply for license(s) to practice Modern Medicine/Dentistry/Alternate Medicine in a Clinic/to establish Hospital/Nursing Home/Diagnostic Centre/Pathological Laboratory.

Details of the Applicant:

Name:

Age:

Sex:

Qualifications:

Specialization:

Registration Number of Medical Council/Board:

Name of the Medical Council/Board:

Address of Clinic/Hospital/Nursing Home/Diagnostic Centre/Pathological Laboratory:

Residential Address:

Telephone No.

Fax:

Mobile No.

E-mail:

Website:

(If applying for more than one place of practice, please give the address of each Clinic/Hospital/Nursing Home/Diagnostic Centre/Pathological Laboratory)—

(1)

(2)

(3)

Copies of documents to be attached to the application:—

(1) Proof of qualifications/specialization;

(2) Registration Certificate from Goa Medical Council/Goa Dental Council/Goa Board of Indian System of Homoeopathy and Medicine;

(3) Trade license(s) from Municipal Corporation/Council/Village Panchayat concerned;

(4) Ownership documents of the Clinic/Hospital/Nursing Home/Diagnostic Centre/Pathological Laboratory;

(5) Fee of Rs. 250/- by demand draft drawn in favour of Director.

• I certify that the details furnished are true to the best of my knowledge.

• I agree to abide by the provisions of the Goa Medical Practitioners Act, 2004 (Goa Act 9 of 2004) and Rules framed thereunder.

• I undertake to inform the Competent Authority immediately in the event of any changes in the details furnished heretofore.

Signature of the Applicant:

Date:

Details of the Hospital/Nursing Home/Diagnostic Centre/Pathological Laboratory:

To be filled if the applicant is Owner/Co-owner/Trustee or connected with the management of Hospital/Nursing Home/Diagnostic Centre/Pathological Laboratory.

Name of the Hospital/Nursing Home/Diagnostic Centre/Pathological Laboratory—

Location: House No.: Street: Ward No.: City/Village:

Name of the Owner:

Name of the Medical Superintendent/Medical Director:

Age: Sex: Qualifications:

Tel Nos.: Office: Residence: Mobile: E-Mail ID:

Details about the Medical Practitioners attached to the Hospital/Nursing Home/Diagnostic Centre/
/Pathological Laboratory:

(1) Name: Sex:

Age:

Qualifications:

Location:

(2) Name: Sex:

Age:

Qualifications:

Location:

(3) Name: Sex:

Age:

Qualifications:

Location:

(Please attach a separate sheet if the space provided is insufficient)

- I certify that the details furnished are true to the best of my knowledge.
- I agree to abide by the provisions of the Goa Medical Practitioners Act, 2004 and the Rules framed thereunder.
- I undertake to inform the Competent Authority immediately in the event of any change in the details furnished heretofore.
- I undertake that the Medical Practitioners without license under the said Act SHALL NOT be allowed to attend on any patients in the Hospital/Nursing Home/Diagnostic Centre/Pathological Laboratory

Signature of the Applicant:

Date:

FORM II

[See rule 4 (4)]

License No.

Dated:

License for a Clinic/Hospital/Nursing Home/Diagnostic Centre/Pathological Laboratory.

- o MODERN MEDICINE
- o DENTISTRY
- o ALTERNATE MEDICINE

License is hereby granted to Dr..... for running/establishing Clinic/Hospital/Nursing Home/
/Diagnostic Centre/Pathological Laboratory, under the provisions of the Goa Medical Practitioners Act,
2004 (Goa Act 9 of 2004) and the rules framed thereunder, at the following address/es:-

- (i)
- (ii)

(1) This License, unless renewed, shall be valid till.....

(2) The Licensee has paid the prescribed fees of Rs. 250/- by demand draft under receipt
No. dated

(3) This License shall be displayed at the Clinic/Hospital/Nursing Home/Diagnostic Centre/
/Pathological Laboratory (where there is more than one place of practice, photocopies thereof shall be
displayed at all such places).

(4) The Licensee shall intimate to the Competent Authority any changes in the addresses mentioned
above.

(5) The Licensee shall observe and maintain the standards as specified in Schedule appended to the
Goa Medical Practitioners Rules, 2010.

Competent Authority

Seal

Notification

22/1/2003-I/PHD

In exercise of the powers conferred by
sub-section (2) of section 1 of the Goa Medical
Practitioners (Amendment) Act, 2008
(Goa Act 08 of 2009), (hereinafter referred to
as the "said Act"), the Government of Goa
hereby appoints the 17th day of February,
2011, as the date on which the provisions of
the said Act shall come into force.

By order and in the name of the
Governor of Goa.

D. G. Sardessai, Joint Secretary (Health).

Porvorim, 11th February, 2011.

Notification

22/1/2003-I/PHD(B)

In exercise of the powers conferred by
sections 3 and 3A of the Goa Medical
Practitioners Act, 2004 (Goa Act 9 of 2004)
(hereinafter referred to as the "said Act") the

Government of Goa, hereby fixes 17th day of
February, 2011, as the date for the purposes
of the proviso to sections 3 and 3A of the said
Act.

By order and in the name of the
Governor of Goa.

D. G. Sardessai, Joint Secretary (Health).

Porvorim, 11th February, 2011.

Notification

22/1/2003-I/PHD

In pursuance of sub-rule (2) of rule 1 of the
Goa Medical Practitioners Rules, 2011
(hereinafter called as the "said Rules"), the
Government of Goa hereby appoints the 17th
day of February, 2011 as the date on which
the said Rules shall come into force.

By order and in the name of the
Governor of Goa.

D. G. Sardessai, Joint Secretary (Health).

Porvorim, 8th February, 2011.

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